

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
BEAUMONT DIVISION

SYLVESTER REID	§	
VS.	§	CIVIL ACTION NO. 1:08-CV-200
UNITED STATES OF AMERICA, ET AL.	§	

MEMORANDUM ORDER PARTIALLY ADOPTING THE MAGISTRATE  
JUDGE’S REPORT AND RECOMMENDATION

Petitioner Sylvester Reid, a prisoner confined at the United States Penitentiary in Beaumont, Texas, proceeding *pro se*, filed this petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241.

The court ordered that this matter be referred to the Honorable Earl S. Hines, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. The magistrate judge has filed a Report and Recommendation of United States Magistrate Judge. The magistrate judge recommends dismissing the petition.

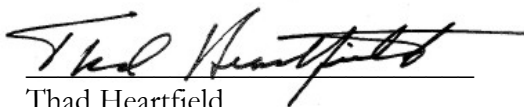
The court has received and considered the Report and Recommendation of United States Magistrate Judge filed pursuant to such order, along with the record, pleadings and all available evidence. Petitioner did not object to the Report and Recommendation, but he filed a motion to dismiss the petition voluntarily. After due consideration, the court is of the opinion that petitioner's motion should be granted, and the petition should be dismissed pursuant to Federal Rule of Civil Procedure 41(a)(1).

ORDER

Accordingly, petitioner's motion to dismiss the case is **GRANTED**. The report of the magistrate judge is partially **ADOPTED** to the extent it recommends dismissing the petition. A final

judgment will be entered dismissing the petition without prejudice in accordance with this Memorandum Order.

**SIGNED** this the **15** day of **May, 2008**.

A handwritten signature in black ink, appearing to read "Thad Heartfield", written over a horizontal line.

Thad Heartfield  
United States District Judge